

authorized”, 83 “Unauthorized aids to maritime navigation; penalty”, 84 “Interference with aids to navigation; penalty”, 85 “Aids to maritime navigation; penalty”, 86 “Marking of obstructions”, 87 “Icebreaking in polar regions”, 88 “Saving life and property”, 89 “Law enforcement”, 90 “Arctic maritime transportation”, 91 “Safety of naval vessels”, 92 “Secretary; general powers”, 93 “Commandant; general powers”, 94 “Oceanographic research”, 95 “Special agents of the Coast Guard Investigative Service law enforcement authority”, 96 “Prohibition on overhaul, repair, and maintenance of Coast Guard vessels in foreign shipyards”, 97 “Procurement of buoy chain”, 98 “National Coast Guard Museum”, 99 “Enforcement authority”, 100 “Enforcement of coastwise trade laws”, 101 “Appeals and waivers”, 102 “Agreements”, 103 “Notification of certain determinations”, and 104 “Protecting against unmanned aircraft”, prior to repeal by Pub. L. 115-282, title I, §105(a), Dec. 4, 2018, 132 Stat. 4199.

AMENDMENTS

2021—Pub. L. 116-283, div. G, title LVXXXV [LXXXV], §8509(c), Jan. 1, 2021, 134 Stat. 4756, added items 548 to 550.

2018—Pub. L. 115-282, title I, §105(a), title III, §§305(b), 318(b), Dec. 4, 2018, 132 Stat. 4200, 4246, 4252, inserted chapter 5 designation and heading and added items 501 to 563.

SUBCHAPTER I—GENERAL POWERS

Editorial Notes

AMENDMENTS

2018—Pub. L. 115-282, title I, §105(c)(1), Dec. 4, 2018, 132 Stat. 4202, inserted subchapter I designation and heading.

§ 501. Secretary; general powers

For the purpose of executing the duties and functions of the Coast Guard the Secretary may within the limits of appropriations made therefor:

(a) establish, change the limits of, consolidate, discontinue, and re-establish Coast Guard districts;

(b) arrange with the Secretaries of the Army, Navy and Air Force to assign members of the Coast Guard to any school maintained by the Army, Navy, and Air Force, for instruction and training, including aviation schools;

(c) construct, or cause to be constructed, Coast Guard shore establishments;

(d) design or cause to be designed, cause to be constructed, accept as gift, or otherwise acquire vessels, aircraft, and systems, and subject to applicable regulations under subtitle I of title 40 and division C (except sections 3302, 3501(b), 3509, 3906, 4710, and 4711) of subtitle I of title 41 dispose of them;

(e) acquire land or interests in land, including acceptance of gifts thereof, where required for the purpose of carrying out any project or purpose for which an appropriation has been made;

(f) exchange land or interests in land in part or in full payment for such other land or interests in land as may be necessary or desirable, the balance of such part payment to be defrayable in accordance with other provisions of this section;

(g) exercise any of the powers vested by this title in the Commandant in any case in which the Secretary deems it appropriate; and

(h) do any and all things necessary to carry out the purposes of this title.

(Aug. 4, 1949, ch. 393, 63 Stat. 503, §92; Oct. 31, 1951, ch. 654, §§1(32), 2(9), 3(3), 65 Stat. 702, 707, 708; Pub. L. 97-295, §2(4), Oct. 12, 1982, 96 Stat. 1301; Pub. L. 98-557, §15(a)(3)(D), Oct. 30, 1984, 98 Stat. 2865; Pub. L. 107-217, §3(c)(1), Aug. 21, 2002, 116 Stat. 1298; Pub. L. 111-350, §5(c)(1), Jan. 4, 2011, 124 Stat. 3847; Pub. L. 115-232, div. C, title XXXV, §3533(a), Aug. 13, 2018, 132 Stat. 2321; renumbered §501 and amended Pub. L. 115-282, title I, §105(b), title III, §311(a), Dec. 4, 2018, 132 Stat. 4200, 4248.)

HISTORICAL AND REVISION NOTES

This section grants broad general powers concerning policy matters to the Secretary. Many of the powers are contained in existing law but some are enlarged and some additional powers are added as explained following.

Subsection (a) is based on title 14, U.S.C., 1946 ed., §95 (Aug. 29, 1916, ch. 417, 39 Stat. 601). Said section has been divided. The provision authorizing the Secretary to man stations seems more appropriately given to the operational head of the Service, the Commandant, and for that reason is incorporated in section 93(c) of this title.

Subsection (b) is based on title 14, U.S.C., 1946 ed., §§28, 42 (Aug. 16, 1916, ch. 417, 39 Stat. 601; July 3, 1926, ch. 742, §11, 44 Stat. 817). These sections were rewritten in order to broaden existing authority in regard to the training of Coast Guard personnel at schools of the other armed forces, thus approaching a practice of war time, and making for economy in the training of Service personnel; such training would be on a basis mutually satisfactory to the Secretaries involved.

Subsection (c) is based on R.S. 4242 and on title 14, U.S.C., 1946 ed., §§29, 93, 94, 98a (R.S. 4245, 4249; May 4, 1882, ch. 117, §2, 22 Stat. 56; Aug. 29, 1916, ch. 417, 39 Stat. 601; June 6, 1940, ch. 257, §4, 54 Stat. 247; Aug. 6, 1947, ch. 502, 61 Stat. 786). This subsection broadens existing law in that it provides general legislative authority for the construction and disposal of shore establishments of all types including aviation stations.

Subsection (d) is based in part on title 14, U.S.C., 1946 ed., §§55, 57, 69, 109, and in part on title 31, U.S.C., 1946 ed., §§487, 720, (R.S. 2748, 3618, 3692; June 18, 1878, ch. 265, §3, 20 Stat. 163; Aug. 29, 1916, ch. 417, 39 Stat. 601). This subsection broadens existing law in that it provides general legislative authority for the design, construction, acquisition by other means, and disposal of vessels.

Subsection (e) is new. It is derived from title 14, U.S.C., 1946 ed., §31b (June 6, 1941, ch. 177, 55 Stat. 247 [which was originally repealed by act June 30, 1949, ch. 288, title VI, §602(a)(28), 63 Stat. 399, renumbered Sept. 5, 1950, ch. 849, §6(a), (b), 64 Stat. 583]) which provides for the exchange of vehicles, planes, and engines; similar authority in relation to vessels, is granted to the Secretary by this subsection and should prove advantageous to the Government.

Subsection (f) is based on title 14, U.S.C., 1946 ed., §96 and on title 33, U.S.C., 1946 ed., §§729, 730, 731 (Mar. 3, 1875, ch. 130, §1, 18 Stat. 372; Mar. 4, 1909, ch. 299, 35 Stat. 972; June 17, 1910, ch. 301, §9, 36 Stat. 538; Mar. 4, 1913, ch. 168, 37 Stat. 1018). This subsection broadens the power of the Secretary to receive as a gift or purchase sites for stations, to include the acquisition of land by any means provided it is for the purpose of executing duties and functions of the Coast Guard.

Subsection (g) is based in part on title 33, U.S.C., 1946 ed., §732 (Aug. 28, 1916, ch. 414, §2, 39 Stat. 538; July 11, 1941, ch. 290, §1, 55 Stat. 584) and grants authority to the Secretary to exchange interests in land as payment or part payment for other interests in land for the purpose of executing the duties and functions of the Coast Guard; this authority, on the basis of past experience, will prove advantageous to the Government.

Subsection (h) is new and merely insures that the Secretary may exercise any of the powers granted to the Commandant in this title.

Subsection (i) is based in part on title 14, U.S.C., 1946 ed., §§51, 131 (R.S. 2756, 2758) and insures that the Secretary may do anything necessary to carry out the purposes of this title.

Changes were made in phraseology. 81st Congress, House Report No. 557.

Editorial Notes

PRIOR PROVISIONS

A prior section 501 was renumbered section 2745 of this title.

AMENDMENTS

2018—Pub. L. 115-282, §105(b), renumbered section 92 of this title as this section.

Subsec. (d). Pub. L. 115-282, §311(a), inserted “aircraft, and systems,” after “vessels.”

Subsecs. (e) to (i). Pub. L. 115-232 redesignated subsecs. (f) to (i) as (e) to (h), respectively.

2011—Subsec. (d). Pub. L. 111-350 substituted “division C (except sections 3302, 3501(b), 3509, 3906, 4710, and 4711) of subtitle I of title 41” for “title III of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 251 et seq.)”.

2002—Subsec. (d). Pub. L. 107-217 inserted “subtitle I of title 40 and title III of” before “the Federal Property and Administrative Services Act of 1949” and substituted “(41 U.S.C. 251 et seq.)” for “(40 U.S.C. 471 et seq.)”.

1984—Subsec. (b). Pub. L. 98-557 substituted reference to members for reference to officers and enlisted men.

1982—Subsec. (d). Pub. L. 97-295 substituted “(40 U.S.C. 471 et seq.)” for “, as amended,” after “Act of 1949”.

1951—Subsec. (c). Act Oct. 31, 1951, §3(3), struck out provision relating to sale or other disposition of unsuitable or unserviceable shore establishments, and disposition of the net monies received therefrom.

Subsec. (d). Act Oct. 31, 1951, §2(9), inserted reference to applicable regulations of the Federal Property and Administrative Services Act of 1949, as amended, and struck out requirement that net monies received from the disposition of vessels be covered into the Treasury.

Subsec. (e). Act Oct. 31, 1951, §1(32), repealed subsec. (e) which empowered the Secretary to exchange vessels and parts thereof in part payment for new vessels.

Statutory Notes and Related Subsidiaries

TRANSFER OF FUNCTIONS

For transfer of authorities, functions, personnel, and assets of the Coast Guard, including the authorities and functions of the Secretary of Transportation relating thereto, to the Department of Homeland Security, and for treatment of related references, see sections 468(b), 551(d), 552(d), and 557 of Title 6, Domestic Security, and the Department of Homeland Security Reorganization Plan of November 25, 2002, as modified, set out as a note under section 542 of Title 6.

CONVEYANCE OF COAST GUARD VESSELS FOR PUBLIC PURPOSES

Pub. L. 111-281, title IX, §914, Oct. 15, 2010, 124 Stat. 3018, provided that:

“(a) IN GENERAL.—Whenever the transfer of ownership of a Coast Guard vessel or aircraft to an eligible entity for use for educational, cultural, historical, charitable, recreational, or other public purposes is authorized by law or declared excess by the Commandant, the Coast Guard shall transfer the vessel or aircraft to the General Services Administration for conveyance to the eligible entity.

“(b) CONDITIONS OF CONVEYANCE.—The General Services Administration may not convey a vessel or aircraft

to an eligible entity as authorized by law unless the eligible entity agrees—

“(1) to provide the documentation needed by the General Services Administration to process a request for aircraft or vessels under section 102.37.225 of title 41, Code of Federal Regulations;

“(2) to comply with the special terms, conditions, and restrictions imposed on aircraft and vessels under section 102.37.460 of such title;

“(3) to make the vessel available to the United States Government if it is needed for use by the Commandant of the Coast Guard in time of war or a national emergency; and

“(4) to hold the United States Government harmless for any claims arising from exposure to hazardous materials, including asbestos and polychlorinated biphenyls, that occurs after conveyance of the vessel, except for claims arising from use of the vessel by the United States Government under paragraph (3).

“(c) OTHER OBLIGATIONS UNAFFECTED.—Nothing in this section amends or affects any obligation of the Coast Guard or any other person under the Toxic Substances Control Act (15 U.S.C. 2601 et seq.) or any other law regarding use or disposal of hazardous materials including asbestos and polychlorinated biphenyls.

“(d) ELIGIBLE ENTITY DEFINED.—In this section, the term ‘eligible entity’ means a State or local government, nonprofit corporation, educational agency, community development organization, or other entity that agrees to comply with the conditions established under this section.”

IMPLEMENTATION OF INTERNATIONAL AGREEMENTS

Pub. L. 109-241, title VIII, §801, July 11, 2006, 120 Stat. 562, provided that: “In consultation with appropriate Federal agencies, the Secretary of the department in which the Coast Guard is operating shall work with the responsible officials and agencies of other nations to accelerate efforts at the International Maritime Organization to enhance oversight and enforcement of security, environmental, and other agreements adopted within the International Maritime Organization by flag States on whom such agreements are binding, including implementation of—

“(1) a code outlining flag State responsibilities and obligations;

“(2) an audit regime for evaluating flag State performance;

“(3) measures to ensure that responsible organizations, acting on behalf of flag States, meet established performance standards; and

“(4) cooperative arrangements to improve enforcement on a bilateral, regional, or international basis.”

VOLUNTARY MEASURES FOR REDUCING POLLUTION FROM RECREATIONAL BOATS

Pub. L. 109-241, title VIII, §802, July 11, 2006, 120 Stat. 563, provided that: “In consultation with appropriate Federal, State, and local government agencies, the Secretary of the department in which the Coast Guard is operating shall undertake outreach programs for educating the owners and operators of boats using two-stroke engines about the pollution associated with such engines and support voluntary programs that reduce such pollution and encourage the early replacement of older two-stroke engines.”

GREAT LAKES LIGHTHOUSES

Pub. L. 107-295, title III, §345, Nov. 25, 2002, 116 Stat. 2106, provided that:

“(a) FINDINGS.—The Congress finds the following:

“(1) The Great Lakes are home to more than 400 lighthouses. One hundred and twenty of these maritime landmarks are in the State of Michigan.

“(2) Lighthouses are an important part of Great Lakes culture and stand as a testament to the importance of shipping in the region’s political, economic, and social history.

“(3) Advances in navigation technology have made many Great Lakes lighthouses obsolete. In Michigan alone, approximately 70 lighthouses will be designated as excess property of the Federal Government and will be transferred to the General Services Administration for disposal.

“(4) Unfortunately, the Federal property disposal process is confusing, complicated, and not well-suited to disposal of historic lighthouses or to facilitate transfers to nonprofit organizations. This is especially troubling because, in many cases, local nonprofit historical organizations have dedicated tremendous resources to preserving and maintaining Great Lakes lighthouses.

“(5) If Great Lakes lighthouses disappear, the public will be unaware of an important chapter in Great Lakes history.

“(6) The National Trust for Historic Preservation has placed Michigan lighthouses on their list of Most Endangered Historic Places.

“(b) ASSISTANCE FOR GREAT LAKES LIGHTHOUSE PRESERVATION EFFORTS.—The Secretary of the department in which the Coast Guard is operating, may—

“(1) continue to offer advice and technical assistance to organizations in the Great Lakes region that are dedicated to lighthouse stewardship; and

“(2) promptly release information regarding the timing of designations of Coast Guard lighthouses on the Great Lakes as excess to the needs of the Coast Guard, to enable those organizations to mobilize and be prepared to take appropriate action with respect to the disposal of those properties.”

VHF COMMUNICATIONS SERVICES

Pub. L. 107-295, title IV, §406, Nov. 25, 2002, 116 Stat. 2116, which permitted the Secretary of the department in which the Coast Guard is operating to authorize placement of commercial VHF communications equipment on real property under the administrative control of the Coast Guard, was redesignated as section 720 of this title and transferred to appear after section 719 of this title by Pub. L. 116-283, div. G, title LVXXXV [LXXXV], §8501(a)(2), Jan. 1, 2021, 134 Stat. 4745.

“(b) Commercial VHF communication equipment placed on real property under the administrative control of the Coast Guard under this section shall not interfere in any manner with any current or future Coast Guard communication equipment.

“(c) Nothing in this section shall affect the rights or obligations of the United States under section 704(c) of the Telecommunications Act of 1996 [Pub. L. 104-104] (47 U.S.C. 332 note) with respect to the availability of property or under section 359(d) of the Communications Act of 1934 (47 U.S.C. 357(d)) with respect to charges for transmission of distress messages.”

PURCHASE OF AMERICAN-MADE EQUIPMENT AND PRODUCTS; NOTICE TO RECIPIENTS OF ASSISTANCE

Pub. L. 104-324, title XI, §1127, Oct. 19, 1996, 110 Stat. 3983, provided that:

“(a) PURCHASE OF AMERICAN-MADE EQUIPMENT AND PRODUCTS.—It is the sense of the Congress that, to the greatest extent practicable, all equipment and products purchased with funds made available under this Act [see Tables for classification] should be American-made.

“(b) NOTICE TO RECIPIENTS OF ASSISTANCE.—In providing financial assistance under this Act, the official responsible for providing the assistance, to the greatest extent practicable, shall provide to each recipient of the assistance a notice describing the statement made in subsection (a) by the Congress.”

COAST GUARD VESSEL DESIGN

Pub. L. 101-380, title IV, §4203, Aug. 18, 1990, 104 Stat. 532, provided that: “The Secretary shall ensure that vessels designed and constructed to replace Coast Guard buoy tenders are equipped with oil skimming systems that are readily available and operable, and

that complement the primary mission of servicing aids to navigation.”

AUTHORIZATION OF JUNIOR RESERVE OFFICERS TRAINING PROGRAM PILOT PROGRAM

Pub. L. 101-225, title II, §204, Dec. 12, 1989, 103 Stat. 1911, provided that:

“(a) IN GENERAL.—The Secretary of the department in which the Coast Guard is operating (hereinafter in this section referred to as the ‘Secretary’) may carry out a pilot program to establish and maintain a junior reserve officers training program in cooperation with the Dade County Public School System of Dade County, Florida, as part of the Maritime and Science Technology Academy established by that school system (hereinafter in this section referred to as the ‘Academy’).

“(b) PROGRAM REQUIREMENTS.—A pilot program carried out by the Secretary under this section—

“(1) shall be known as the ‘Claude Pepper Junior Reserve Officers Training Program’, and

“(2) shall provide to students at the Academy—

“(A) instruction in subject areas relating to operations of the Coast Guard; and

“(B) training in skills which are useful and appropriate for a career in the Coast Guard.

“(c) PROVISION OF ADDITIONAL SUPPORT.—To carry out a pilot program under this section, the Secretary may provide to the Academy—

“(1) assistance in course development, instruction, and other support activities;

“(2) commissioned, warrant, and petty officers of the Coast Guard to serve as administrators and instructors; and

“(3) necessary and appropriate course materials, equipment, and uniforms.

“(d) EMPLOYMENT OF RETIRED COAST GUARD PERSONNEL.—

“(1) IN GENERAL.—Subject to paragraph (2) of this subsection, the Secretary may authorize the Academy to employ as administrators and instructors for the pilot program retired Coast Guard and Coast Guard Reserve commissioned, warrant, and petty officers who request that employment and who are approved by the Secretary and the Academy.

“(2) AUTHORIZED PAY.—(A) Retired members employed under paragraph (1) of this subsection are entitled to receive their retired or retainer pay and an additional amount of not more than the difference between—

“(i) the amount the individual would be paid as pay and allowance if they were considered to have been ordered to active duty during that period of employment; and

“(ii) the amount of retired pay the individual is entitled to receive during that period.

“(B) The Secretary shall pay to the Academy an amount equal to one half of the amount described in subparagraph (A) of this paragraph, from funds appropriated for that purpose.

“(C) Notwithstanding any other law, while employed under this subsection, an individual is not considered to be on active duty or inactive duty training.”

CONSIDERATION OF MARITIME ADMINISTRATION VESSELS

Pub. L. 101-225, title II, §213, Dec. 12, 1989, 103 Stat. 1914, provided that: “Before acquiring a vessel for use by the Coast Guard, the Secretary of Transportation or the Commandant of the Coast Guard, as appropriate, shall review the inventory of vessels acquired by the Secretary or the Secretary of Commerce as the result of a default under title XI of the Merchant Marine Act, 1936 [former] 46 App. U.S.C. 1271-1279c [see 46 U.S.C. 53701 et seq.], to determine whether any of those vessels are suitable for use by the Coast Guard.”

LIFESAVING EQUIPMENT ON PASSENGER FERRIES

Pub. L. 98-557, §10, Oct. 30, 1984, 98 Stat. 2863, provided that: “The Secretary of the department in which the

Coast Guard is operating shall proceed vigorously with efforts to develop improved lifesaving equipment for use on passenger ferries.”

AIRCRAFT

Provisions specifying the maximum number of aircraft on hand at any one time, exclusive of planes and parts stored to meet future attrition, were contained in the following appropriation acts:

Pub. L. 105-66, title I, Oct. 27, 1997, 111 Stat. 1426.
 Pub. L. 104-205, title I, Sept. 30, 1996, 110 Stat. 2953.
 Pub. L. 104-50, title I, Nov. 15, 1995, 109 Stat. 438.
 Pub. L. 103-331, title I, Sept. 30, 1994, 108 Stat. 2473.
 Pub. L. 103-122, title I, Oct. 27, 1993, 107 Stat. 1201.
 Pub. L. 102-388, title I, Oct. 6, 1992, 106 Stat. 1523.
 Pub. L. 102-143, title I, Oct. 28, 1991, 105 Stat. 920.
 Pub. L. 101-516, title I, Nov. 5, 1990, 104 Stat. 2158.
 Pub. L. 101-164, title I, Nov. 21, 1989, 103 Stat. 1071.
 Pub. L. 100-457, title I, Sept. 30, 1988, 102 Stat. 2126.
 Pub. L. 100-202, §101(i) [title I], Dec. 22, 1987, 101 Stat. 1329-358, 1329-359.
 Pub. L. 99-500, §101(i) [H.R. 5205, title I], Oct. 18, 1986, 100 Stat. 1783-308, and Pub. L. 99-591, §101(i), Oct. 30, 1986, 100 Stat. 3341-308.
 Pub. L. 99-190, §101(e) [title I], Dec. 19, 1985, 99 Stat. 1267, 1269.
 Pub. L. 98-473, title I, §101(i) [title I], Oct. 12, 1984, 98 Stat. 1944, 1945.
 Pub. L. 98-78, title I, Aug. 15, 1983, 97 Stat. 454.
 Pub. L. 97-369, title I, Dec. 18, 1982, 96 Stat. 1766.
 Pub. L. 97-102, title I, Dec. 23, 1981, 95 Stat. 1443.
 Pub. L. 96-400, title I, Oct. 9, 1980, 94 Stat. 1681.
 Pub. L. 96-131, title I, Nov. 30, 1979, 93 Stat. 1023.
 Pub. L. 95-335, title I, Aug. 4, 1978, 92 Stat. 435.
 Pub. L. 95-85, title I, Aug. 2, 1977, 91 Stat. 402.
 Pub. L. 94-387, title I, Aug. 14, 1976, 90 Stat. 1172.
 Pub. L. 94-134, title I, Nov. 24, 1975, 89 Stat. 696.
 Pub. L. 93-391, title I, Aug. 28, 1974, 88 Stat. 769.
 Pub. L. 93-98, title I, Aug. 16, 1973, 87 Stat. 330.
 Pub. L. 92-398, title I, Aug. 22, 1972, 86 Stat. 581.
 Pub. L. 92-74, title I, Aug. 10, 1971, 85 Stat. 202.
 Pub. L. 91-168, title I, Dec. 26, 1969, 83 Stat. 454.
 Pub. L. 90-464, title I, Aug. 8, 1968, 82 Stat. 654.
 Pub. L. 90-112, title II, Oct. 23, 1967, 81 Stat. 312.
 Pub. L. 89-474, title I, June 29, 1966, 80 Stat. 223.
 Pub. L. 89-57, title I, June 30, 1965, 79 Stat. 197.
 Pub. L. 88-392, title I, Aug. 1, 1964, 78 Stat. 369.
 Pub. L. 88-39, title I, June 13, 1963, 77 Stat. 59.
 Pub. L. 87-575, title I, Aug. 6, 1962, 76 Stat. 311.
 Pub. L. 87-159, title I, Aug. 21, 1961, 75 Stat. 395.
 Pub. L. 86-561, title I, June 30, 1960, 74 Stat. 285.
 Pub. L. 86-39, title I, June 11, 1959, 73 Stat. 67.
 Pub. L. 85-354, title I, Mar. 28, 1958, 72 Stat. 62.
 Pub. L. 85-37, title I, May 27, 1957, 71 Stat. 37.
 Apr. 2, 1956, ch. 161, title I, 70 Stat. 93.
 June 1, 1955, ch. 113, title I, 69 Stat. 74.
 May 28, 1954, ch. 242, title I, 68 Stat. 146.
 June 18, 1953, ch. 132, title I, 67 Stat. 69.
 June 30, 1952, ch. 523, title I, 66 Stat. 291.
 Aug. 11, 1951, ch. 301, title I, 65 Stat. 185.
 Sept. 6, 1950, ch. 896, Ch. IV, title I, 64 Stat. 639.
 June 30, 1949, ch. 286, title I, 63 Stat. 367.
 June 19, 1948, ch. 558, title I, 62 Stat. 563.
 July 1, 1947, ch. 186, title I, 61 Stat. 227.
 July 12, 1946, ch. 569, §1, 60 Stat. 531.

§ 502. Delegation of powers by the Secretary

The Secretary is authorized to confer or impose upon the Commandant any of the rights, privileges, powers, or duties, in respect to the administration of the Coast Guard, vested in or imposed upon the Secretary by this title or other provisions of law.

(Aug. 4, 1949, ch. 393, 63 Stat. 544, §631; Pub. L. 94-546, §1(33), Oct. 18, 1976, 90 Stat. 2521; renumbered §502, Pub. L. 115-282, title I, §105(b), Dec. 4, 2018, 132 Stat. 4200.)

HISTORICAL AND REVISION NOTES

This section authorizes the Secretary to delegate to the Commandant any of the authority granted to him in respect to the administration of the Coast Guard. Such power to delegate is granted by other statutes to the heads of many of the executive departments. 81st Congress, House Report No. 557.

Editorial Notes

PRIOR PROVISIONS

A prior section 502 was renumbered section 2746 of this title.

AMENDMENTS

2018—Pub. L. 115-282 renumbered section 631 of this title as this section.

1976—Pub. L. 94-546 substituted “Secretary” for “Secretary of the Treasury” wherever appearing and substituted “Commandant” for “Commandant of the Coast Guard”.

Statutory Notes and Related Subsidiaries

ADMINISTRATIVE ADVISORY COMMITTEES; SOLICITATION OF NOMINATIONS FOR MEMBERSHIP; PUBLICATION IN FEDERAL REGISTER; DISCLOSURES TO CONGRESS; COMPENSATION AND TRAVEL EXPENSES

Pub. L. 97-322, title I, §118(e), Oct. 15, 1982, 96 Stat. 1587, provided that:

“(1) The Secretary of the department in which the Coast Guard is operating shall, not less often than once a year, publish notice in the Federal Register for solicitation of nominations for membership on any advisory committee established administratively for the purpose of giving advice and recommendations to such Secretary or the Commandant of the Coast Guard with respect to functions of the Coast Guard.

“(2) Any advisory committee described in paragraph (1) of this subsection is authorized to make available to Congress any information, advice, and recommendations which the committee is authorized to give to the Secretary of the department in which the Coast Guard is operating or the Commandant of the Coast Guard.

“(3) Members of any advisory committee described in paragraph (1) of this subsection who are not officers or employees of the United States shall serve without pay and members of any such committee who are officers or employees of the United States shall receive no additional pay on account of their service on such committee. While away from their homes or regular places of business, members of any such committee may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5, United States Code.”

§ 503. Regulations

In addition to the authority conferred by other provisions of this title the Secretary may promulgate such regulations and orders as he deems appropriate to carry out the provisions of this title or any other law applicable to the Coast Guard.

(Aug. 4, 1949, ch. 393, 63 Stat. 545, §633; renumbered §503, Pub. L. 115-282, title I, §105(b), Dec. 4, 2018, 132 Stat. 4200.)

HISTORICAL AND REVISION NOTES

Based on title 14, U.S.C., 1946 ed., §§92, 185e (June 20, 1874, ch. 344, §8, 18 Stat. 127; May 26, 1906, ch. 2556, §1, 34 Stat. 200; May 24, 1939, ch. 146, §6, 53 Stat. 756).

This section enlarges said sections to prescribe what is generally understood in a military organization, that the promulgation of regulations is a function of the head of the Department.

Changes were made in phraseology. 81st Congress, House Report No. 557.